

# **Fire Safety Code Board**

## **Of Appeal & Review**

### **Minutes of August 25, 2009 hearing**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, August 25, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Pearson, Richard, Jackson, Preiss, Blackburn, Dias and Jasparro. Commissioners Filippi and Walker were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #090295: Mr. Peter Bunstein, for the property located at 300 Jenckes Hill Road in Smithfield. Capt. James Waterman appeared for the Smithfield Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Dias, to approve the Applicant's request for a one-time change of use for this facility for a "Nerf Party" sponsored by Hasbro. The Applicant is directed to comply with any requests by the State and/or Smithfield Fire Marshals for fire safety precautions for this event. The motion was unanimous.**

**APPEAL #090129: Cherenzia Excavation Inc., for the property located at 434 Tower Hill Road in North Kingstown. DSFM Wade Palazini appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to**

allow the Applicant not to install a fire alarm system in this salt storage shed. The motion was unanimous.

**APPEAL #060630:** Mr. Edwin Madden, for the property located at 91 Washington Street, Newport. ADSFM Kevin Garcia appeared for the Newport Fire Marshal's office. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a variance for dimensional relief on the existing stairs on the basis of structural hardship. The Applicant is further granted a time variance of 120 days in which to install spring loaded hinges on the doors that open onto the exit access corridors in this facility. The motion was unanimous.

**APPEAL #060884A:** Chief of Inspections Jonathan DePault, RI Department of Administration, for the property located at 11 Power Street in Cranston. DSFM Dennis McGarty and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. It was determined that this facility has been secured to the satisfaction of the State Fire Marshal's office and no further relief is necessary at this time.

**APPEAL #060885:** Chief of Inspections Jonathan DePault, RI Department of Administration, for the property located at 11 Power Street in Cranston. DSFM Dennis McGarty and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. Chief DePault presented a detailed plan of action for the correction of the

deficiencies that exist in this facility, located in the Pastore Complex in Cranston, and further testified that the sprinkler system will be completed in thirty (30) days, and the fire alarm system will be completed in sixty (60) days. Commissioner Pearson made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of 120 days to make the corrections deemed necessary by the State Fire Marshal's office. The motion was unanimous.

**APPEAL #060742:** Chief of Inspections Jonathan DePault, RI Department of Administration, for the property located at 11 Power Street in Cranston. Chief of Inspections Scott Caron, Chief Plan Review Officer Wade Palazini and Deputy State Fire Marshal Cynthia Dehler appeared for the State Fire Marshal's office. Chief DePault presented a detailed plan of action for the correction of the deficiencies that exist in this facility, also located within the Pastore Complex in Cranston. Vice Chairman Newbrook made a motion, seconded by Commissioner Pearson, to grant variances based on structural hardship for deficiencies 5 and 6 of the State Fire Marshal's report, and further granted a time variance as follows. The Applicant is granted a time variance of thirty (30) days in which to submit plans to the State Fire Marshal's office for any outstanding deficiencies in this facility, and an additional 120 days in which to make those corrections. The State Fire Marshal's office is granted the authority to extend the above deadline for good faith efforts on the part of the Applicant. The motion passed with Commissioner Blackburn abstaining from the vote.

**APPEAL #090046: Chief of Inspections Jonathan DePault, RI Department of Administration, for the property located at 11 Power Street in Cranston. Chief of Inspections Scott Caron, and Deputy State Fire Marshal Cynthia Dehler appeared for the State Fire Marshal's office. Chief DePault again presented a detailed plan of action for the correction of the deficiencies that exist in this facility, also located within the Pastore Complex in Cranston. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of sixty days in which to correct any outstanding deficiencies that remain in this facility, and to allow the State Fire Marshal's office the ability to extend the above time granted for good faith efforts on the part of the Applicant. The motion was unanimous.**

**Respectfully submitted,  
Carol Marsella**